

FREDERICK COUNTY PLANNING COMMISSION

Minutes of Meeting for

December 13, 2017

See video for further meeting details: <http://frederickcountymd.gov/5956/Video-Archives>

Members Present: Bob White, Vice-Chair; Carol Sepe, Secretary; Bill Hopwood; Sharon Suarez; Sam Tressler; Craig Hicks

Members Absent: Anthony Bruscia, Chair

Staff Present: Jim Gugel, Planning Director; Mike Wilkins, Development Review Acting Director; Kathy Mitchell, Assistant County Attorney; Charles Freeman, Traffic Engineer; Tolson DeSa, Zoning Administrator; Denis Superczynski, Principal Planner; Tim Goodfellow, Principal Planner; Ron Burns, Transportation Engineer

The meeting was called to order at 9:30 am

1. PLEDGE OF ALLEGIANCE

2. MINUTES TO APPROVE

November 8, 2017 – Ms. Sepe moved to approve said minutes as amended. Mr. Hicks 2nd.

<u>VOTE</u>	<u>6-0-0-1</u>
FOR:	6 – Sepe, Hicks, Hopwood, White, Suarez, Tressler
AGAINST:	0
ABSTAIN:	0
ABSENT:	1 - Bruscia

3. PLANNING COMMISSION COMMENTS

Both Ms. Sepe and Mr. Hicks felt that just as meeting minutes are amended to correct inadequacies, the Commission should have an opportunity to review the memos that are going to the County Council to ensure the memos are also being amended. Mr. White proposed that the Commissioners have an opportunity to review the memos that are forwarded to the County Council before they are sent. Mr. Gugel emphasized that Commission members be prompt with responses, as sometimes time is of the essence.

4. AGENCY COMMENTS / AGENDA BRIEFING

Mr. Gugel briefed the Commission on the upcoming January agenda, which will include three (3) Council Bills public hearings, in addition to three development review items. He added that Mr. Horn coordinated meeting dates for Livable Frederick workshops, scheduled for January 3rd and 4th.

5. APFO LETTER OF UNDERSTANDING

a) *Winners, LLC Letter of Understanding (LOU)* – The Applicant requested approval of the proposed Letter of Understanding, documenting requirements for Adequate Public Facilities Ordinance approval associated with a change of use resulting in 4,800 square feet of automotive repair and 2,100 square feet of office, which is shown on the Type II Site Plan.

Staff Presentation:

Charles Freeman, Traffic Engineer

Applicant Presentation:

Ron Thompson, VanMar Associates, Inc. on behalf of Winners, LLC; Dan Kuhnke, Premier Autoworks

Public Comment:

None

Decision: Ms. Suarez made a motion to find the adequate public facilities are achieved per §1-20-12(H) of the APFO and approve APFO LOU as described in the Letter of Understanding. Mr. Tressler 2nd.

<u>VOTE</u>	6-0-0-1
FOR:	6 – Suarez, Tressler, Hopwood, White, Sepe, Hicks
AGAINST:	0
ABSTAIN:	0
ABSENT:	1 - Bruscia

6. COMBINED PRELIMINARY / SITE PLAN

a) *Linganore Town Center Clubhouse* – The Applicant requested Preliminary/Final Site Plan approval for a 2,272 square foot HOA clubhouse, 8,4321 square foot pool with a 9,437 square foot deck as well as an 11,246 square foot tot-lot area, on a 1.98-acre site known as Lot A1. Located at the terminus of Eaglehead Drive and Lake Linganore Blvd., north of Oakdale High School. Tax Map 79, Parcel 17; Zoned: Low Density Residential; Planning Region: New Market S-829-T (A/P#17697, APFO#17665, FRO#17666)

Staff Presentation:

Tolson DeSa, Zoning Administrator

Applicant Presentation:

Jason Wiley, Elm Street Properties on behalf of Oakdale Investments, Applicant; Mike Peterson, Rodgers Consulting

Public Comment:

None

Decision: Mr. Hicks made a motion to approve the Combined Preliminary/Final Site Plan with conditions and modifications as listed in the staff report; and amend wording to read “for a 2-story HOA clubhouse, with a footprint of 2,272 square feet”, 8,421 square foot pool with a 9,437 square foot deck as well as an 11,246 square foot tot-lot area, on a 1.98-acre site known as A1. Ms. Suarez 2nd.

Ms. Sepe also amended the motion to include an additional modification:

- Staff will work with the Applicant to review the feasibility of additional pedestrian crosswalks at the site.

Mr. Hicks and Ms. Suarez accepted the amendment.

<u>VOTE</u>	6-0-0-1
FOR:	6 – Hicks, Suarez, Hopwood, White, Sepe, Tressler
AGAINST:	0
ABSTAIN:	0
ABSENT:	1 - Bruscia

b) *Villages of Urbana, Section M-1E Live/Work* - The Applicant requested Combined Preliminary/Site Plan approval to subdivide the existing 0.85-acre PUD-zoned parcel into ten (10) live-work units. Located on the south side of Worthington Boulevard at its intersection with John Simmons Street in the Town Center area of the Villages of Urbana PUD. Tax Map 96, Parcel 67; Zoned: Planned Unit Development (PUD); Planning Region: Urbana SP-01-36 (A/P#17167, APFO#17168, FRO#17169)

Ms. Sepe disclosed her involvement with another section of this PUD, however, not with this section of the PUD and with no objection will hear this item.

Staff Presentation:

Denis Superczynski, Principal Planner

Applicant Presentation:

Kraig Walsleben, Rodgers Consulting; Paul Coleman, Natelli Communities

Public Comment:

None

Decision: Mr. Tressler made a motion to approve the Combined Preliminary/Site Development Plan with requested modifications, and including APFO approval, with conditions as specified in the staff report; and include the condition that the Applicant will proffer bike racks. Mr. Hicks 2nd.

<u>VOTE</u>	6-0-0-1
FOR:	6 – Tressler, Hicks, Hopwood, White, Suarez, Sepe
AGAINST:	0
ABSTAIN:	0
ABSENT:	1 - Bruscia

7. SITE PLAN

a) *Libertytown Garden* – The Applicant requested Site Development Plan reapproval for a mixed use structure to include 14 residential condominium units and 2,479 s.f. of commercial/retail space on a 0.89-acre property. Located on the north side of Main Street (MD 26) at the western terminus of North Street in Libertytown. Tax Map 51, Parcel 123; Zoned: Mixed Use (MX); Planning Region: Walkersville; SP-13-18 (A/P#17799, APFO#17801, FRO#17800)

Staff Presentation:

Denis Superczynski, Principal Planner

Applicant Presentation:

Ron Thompson, VanMar Associates, Inc. on behalf of Applicant, Frall Developers, Inc.

Public Comment:

None

Decision: Ms. Sepe made a motion to approve the Site Development Plan, including APFO approval, with conditions and modifications as listed in the staff report, and include the following:

- Applicant will provide sidewalk connection between the building's residential and commercial entrances and the dumpster enclosure area
- Applicant will work with staff to provide appropriate location for a bike rack

Ms. Suarez 2nd.

<u>VOTE</u>	<u>6-0-0-1</u>
FOR:	6 - Sepe, Suarez, Hopwood, White, Tressler, Hicks
AGAINST:	0
ABSTAIN:	0
ABSENT:	1 - Bruscia

b) *Mountaintale Convenience Store* – The Applicant requested Site Plan approval for the construction of a 4-pump diesel fueling station for trucks in association with the previously approved 20-pump automobile fueling station and 7,200 square foot accessory convenience store on a 4.00-acre site. Located at 6825 Putman Road, on the southwest corner of US 15 and Putman Road, south of Baugher Road. Tax Map 40, Parcel 546; Zoned: General Commercial (GC); Planning Region: Frederick; SP-07-33 (A/P#17709, APFO#17710, FRO#17711)

Staff Presentation:

Denis Superczynski, Principal Planner

Applicant Presentation:

Noel Manalo, Miles and Stockbridge; Julian and Rita Mitchell, Applicants; Lee Miller, Terra Solutions Engineering

Public Comment:

Jeff Hackman
Dennis McCuen
Amanda Stebbing
Lee Sayers

Rebuttal:

Lee Miller, Noel Manalo, Julian Mitchell

Decision: Mr. Tressler made a motion to approve the Site Plan with conditions and modifications as listed in the staff report. Mr. Hopwood 2nd.

<u>VOTE</u>	<u>4-2-0-1</u>
FOR:	4 – Tressler, Hopwood, Suarez, Hicks
AGAINST:	2 – White, Sepe
ABSTAIN:	0
ABSENT:	1 - Bruscia

c) *Orchard Park at Ballenger Run* – The Applicant requested Site Development approval for the construction of four (4) multi-family residential buildings, a 3,200 square foot clubhouse, a swimming pool, storage building, and a tot-lot on a 13.8-acre site. Located on the east side of Ballenger Creek Pike at the intersections of Black Locust Drive and Wild Plum Drive. Tax Map 8, Parcel 53; Zoned: Planned Unit Development (PUD); Planning Region: Frederick; SP-14-08 (A/P#16965, APFO#16966, FRO#16967)

Staff Presentation:

Tim Goodfellow, Principal Planner

Applicant Presentation:

David Lingg, Lingg Property Consulting; Scott Armiger, Orchard Development Corporation, Applicant; Daphne Matthews, Daft McCune Walker

Public Comment:

None

Decision: Ms. Suarez made a motion to approve the Site Plan with conditions and modifications as listed in the staff report for the proposed construction of four (4) multi-family residential buildings, a 3,200 square foot clubhouse, a swimming pool, a storage building and a tot-lot on a 13.8-acre site.

The motion to approve was modified to change "a storage building" to "2 storage buildings". Mr. Hicks 2nd.

<u>VOTE</u>	6-0-0-1
FOR:	6 - Suarez, Hicks, Hopwood, White, Sepe, Tressler
AGAINST:	0
ABSTAIN:	0
ABSENT:	1 – Bruscia

8. DRAFT BIKEWAYS & TRAILS PLAN

This decision meeting was held to assess comments on the Draft Bikeways and Trails Plan, which is an update of the 1999 Plan. The record closed on November 30. The Planning Commission deliberated on a recommendation to be forwarded to the County Council regarding changes to the draft plan and a finding of consistency with the Comprehensive Plan.

Staff Presentation:

Ron Burns, Contractual Traffic Engineer

The Commission deliberated on the compilation of comments on the Draft Plan.

Decision:

Motion #1: Ms. Sepe moved to recommend the Draft Bikeways and Trails Plan be forwarded to the County Council, including the suggestions and comments compiled by staff as in Exhibit #1, and as agreed and discussed and modified today, including #17, #27, #33 and added #40, #41, and #42. Ms. Suarez 2nd.

<u>VOTE</u>	5-1-0-1
FOR:	5 – Sepe, Suarez, White, Tressler, Hicks
AGAINST:	1 - Hopwood
ABSTAIN:	0
ABSENT:	1 – Bruscia

Motion #2: Mr. Hicks moved to find the Draft Bikeways and Trails Plan as amended by this Commission, to be consistent with the County Comprehensive Plan and forward the Recommended Plan for approval by the County Council. Ms. Suarez 2nd.

<u>VOTE</u>	6-0-0-1
FOR:	6 – Hicks, Suarez, Hopwood, White, Sepe, Tressler
AGAINST:	0
ABSTAIN:	0
ABSENT:	1 – Bruscia

9. COMPREHENSIVE PLAN AMENDMENT

A public hearing was held to consider and make a recommendation to the County Council, an amendment to the County Comprehensive Plan to include the Growth Tier Map.

Staff Presentation:

Jim Gugel, Planning Director

Public Comment:

None

Decision: Mr. Tressler moved to recommend that the Growth Tier Map with proposed revisions be adopted and incorporated into the County Comprehensive Plan. Ms. Suarez 2nd.

<u>VOTE</u>	<u>6-0-0-1</u>
FOR:	6 – Tressler, Suarez, Hopwood, White, Sepe, Hicks
AGAINST:	0
ABSTAIN:	0
ABSENT:	1 – Bruscia

Meeting adjourned at 4:00 pm
Respectfully Submitted,



Bob White, Vice-Chair

1/17/2018
Date